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SUNSHINE PERIOD

January 10, 2000

William Kennard  
Chairman  
Federal Communications Commission  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Chairman Kennard:

I filed the LPFM Petition for Rulemaking (RM-9242) which led to the FCC's Notice of Proposed Rulemaking in this proceeding (MM 99-25). I am a supporter of creation of a Low Power FM (LPFM) radio service as outlined in the FCC's Notice of Proposed Rulemaking in docket MM 99-25, which called for creation of 1000 watt and 100 watt commercial and non-commercial LPFM stations nationwide.

It has come to my attention that the FCC intends to vote at its Jan 20th meeting to severely gut this proposal (NPRM) providing for only non-commercial stations with maximum power of 100 watts (thus reducing coverage to under 4 miles as opposed to 9 miles for a 1000 watt station as proposed in the NPRM).

To place such severe limits on LPFM would doom the service before it begins, making it impossible to obtain enough financial support to exist, without being able to sell commercial airtime.

What possible reason can the FCC have for not permitting commercially supported LPFM stations, other than to protect NAB member stations from competition? Commercial support has nothing to do with interference! There is no good reason to doom the LPFM service by taking away its ability to support itself by the sale of commercial advertising, a method of support that has served this nation's stations well for over 75 years!

In fact, to not allow commercial support would do a great disservice to small businesses in America that cannot afford to advertise on full-power radio stations. Their needs would have been met by LPFM stations. A decision to not allow commercial support would have a vast negative impact on small business in America and may well violate some rules of the Small Business Administration, given that hundreds of new commercially supported LPFM stations are being denied the chance to come on the air.

I wish to remind you that there was an overwhelming number (thousands) of comments filed in this proceeding supporting the creation of 1000 watt and 100 watt stations, allowing for both commercial and non-commercial operation as set forth in the FCC's NPRM.

The public has spoken on this matter and to ignore this public mandate and cave in to

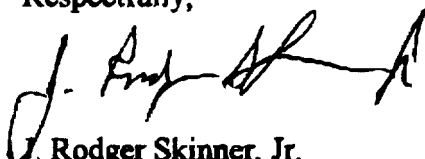
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political pressure from the National Association of Broadcasters (NAB) is a disgrace and use of such anti-competitive actions by the NAB should be investigated by the Justice Department.

The NAB tried to cause confusion on this issue by claiming that the new LPFM stations would cause interference to existing stations. A receiver study conducted by the FCC proved this to be incorrect. The NAB raised this smokescreen issue to attempt to conceal its real dislike for LPFM, the fact that it does not want competition for listeners or advertising revenues for its member stations. The FCC's duty is to promote competition, not stifle it.

I would hope that the FCC would vote for LPFM in its full form as proposed in the NPRM or delay the vote to clear the way for a workable LPFM service of 1000 watt and 100 watt commercial and non-commercial stations at a later date.

Respectfully,



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